

REMARKS**I. General**

Claims 21, 23-38, 40-51, and 53-55 are currently pending, and all claims are rejected by the current Office Action, mailed November 15, 2004. Claims 22, 39, and 52 are canceled. The issues in the current Office Action are as follows:

- Claims 21-55 are rejected under 35 U.S.C. § 103(a) over www.lumeria.com, obtained from the Internet archive www.archive.org (hereinafter, *Lumeria*) in view of U.S. Patent 6,405,245 (hereinafter, *Burson*).

Applicant hereby traverses the outstanding rejections and requests reconsideration and withdrawal in light of the remarks contained herein.

II. Amendments to the Claims

Claim 21 is amended to include the limitations of claim 22. Claim 34 is amended to include the limitations of claim 39. Claim 42 is amended to include the limitations of claim 52. Claim 53 is amended to adopt a feature from claim 49. Claim 54 is amended to adopt a feature from claim 33. Claim 55 is amended to adopt a feature from claim 52. Thus, no new matter is added.

III. Rejections of Claims 21-55 Under 35 U.S.C. § 103**A. Claims 21 and 23-33**

Claim 21 recites, in part, “wherein the trusted party and the information source are the same entity.” The combination of *Lumeria* and *Burson* does not teach or suggest the above-quoted feature of claim 21. *Lumeria* does not teach that a trusted party and an information source are the same entity. In *Lumeria*, the profile database, the user, and buyers of information are all different entities. See e.g., the discussion of Identity Commerce Marketplace in *Lumeria* at 22. *Lumeria* gives no example otherwise. The same may be said for *Burson*, wherein the user, the PI host engine, and the company web sites are all separate entities. See, e.g., Figure 5 of *Burson*. Applicant asserts that there is no teaching or

suggestion anywhere in either *Lumeria* or *Burson* of the above-quoted feature of claim 21. Therefore, it is respectfully requested that the rejection of claim 21 be withdrawn.

Dependent claims 23-33 each depend either directly or indirectly from independent claim 21 and, thus, inherit all of the limitations of independent claim 21. Thus, the combination of *Lumeria* and *Burson* does not teach or suggest all claim limitations of claims 23-33. It is respectfully submitted that dependent claims 23- 33 are allowable at least because of their dependence from claim 21 for the reasons discussed above. Accordingly, Applicants request withdrawal of the rejections of claims 21-31 and 33.

B. Claims 34-38 and 39-41

Claim 34 recites, in part, “a module that credits at least a portion of the payment to the at least one owner.” Applicants assert that the combination of *Lumeria* and *Burson* does not teach or suggest the above-quoted feature of claim 34. While *Lumeria* does teach that the consumer may receive compensation for allowing access to his information, *Lumeria* does not teach that such compensation comes in the form of a credit. For instance, *Lumeria* teaches that the compensation may be personalized services, discounts, or monetary compensation. *Lumeria* at 22. However, *Lumeria* does not disclose the details of the compensation to the consumer, and, therefore, does not teach or suggest crediting a portion of the payment or any other method to compensate the consumer. *Burson* does not teach selling personal information at all, and, therefore, does not teach or suggest the above-quoted feature of claim 32. Accordingly, the cited modification does not teach or suggest each and every feature of claim 34. Applicant respectfully requests withdrawal of the rejection of claim 34.

Dependent claims 35-38 and 39-41 each depend either directly or indirectly from independent claim 34 and, thus, inherit all of the limitations of independent claim 34. Thus, the combination of *Lumeria* and *Burson*, does not teach or suggest all claim limitations of claims 35-38 and 39-41. It is respectfully submitted that dependent claims 35-38 and 39-41 are allowable at least because of their dependence from claim 34 for the reasons discussed above. Accordingly, Applicant requests withdrawal of the rejections of claims 35-38 and 39-41.

C. Claims 42-51

Claim 42 recites, in part, “wherein the trusted party can be an entity other than the owner with the capability to validate the personal information.” Applicants assert that the above-quoted feature of claim 42 is not taught or suggested by the combination of *Lumeria* and *Burson*. *Lumeria* does not teach the capability to validate information. In fact, it appears that *Lumeria* teaches that the consumer enters his own personal information without concern for validation. See, *Lumeria* at 5, item 2). Thus, *Lumeria* does not mention or teach validating. *Burson* also does not teach or suggest validating information. For example, *Burson* does not teach or suggest that the company websites (items 250 of Figure 5) are capable of validating the information. Accordingly, the combination of *Lumeria* and *Burson* does not teach or suggest each and every feature of claim 42. Applicant respectfully requests withdrawal of the rejection of claim 34.

Dependent claims 43-51 each depend either directly or indirectly from independent claim 42 and, thus, inherit all of the limitations of independent claim 42. Thus, the combination of *Lumeria* and *Burson*, does not teach or suggest all claim limitations of claims 43-51. It is respectfully submitted that dependent claims 43-51 are allowable at least because of their dependence from claim 42 for the reasons discussed above. Accordingly, Applicant requests withdrawal of the rejections of claims 43-51.

D. Claim 53

Claim 53 recites, in part, “wherein providing the personal information to the requestor comprises providing the personal information to the requestor if the requestor has not declined receipt of the personal information.” Applicants assert that the above-quoted feature of claim 53 is not taught or suggested by the combination of *Lumeria* and *Burson*. *Lumeria* teaches that a marketer may buy personal information, but does not teach how the marketer interacts with the SuperProfile™ to receive the information. Therefore, *Lumeria* does not teach or suggest the above-quoted feature of claim 53. *Burson* also does not teach or suggest the above-quoted feature because it does not teach how the marketer interacts with the SuperProfile™ to receive the information. Accordingly, the combination of *Lumeria* and *Burson* does not teach or suggest each and every feature of claim 53. Applicant respectfully requests withdrawal of the rejection of claim 53.

E. Claim 54

Claim 54 recites, in part, “receiving a request to search for a particular owner having personal information for sale by the trusted party.” Applicants assert that the above-quoted feature of claim 54 is not taught or suggested by the combination of *Lumeria* and *Burson*. *Lumeria* teaches that a marketer may buy personal information, but does not teach that the SuperProfile™ receives a request for a particular owner. Therefore, *Lumeria* does not teach or suggest the above-quoted feature of claim 54. *Burson* also does not teach or suggest the above-quoted feature because it does not teach or suggest an owner having personal information for sale. Thus *Burson* does not teach or suggest “receiving a request to search for a particular owner having personal information for sale by the trusted party,” as recited by claim 54. Accordingly, the combination of *Lumeria* and *Burson* does not teach or suggest each and every feature of claim 54. Applicant respectfully requests withdrawal of the rejection of claim 54.

F. Claim 55

Claim 55 recites, in part, “wherein the trusted party can be an entity other than the owner with the capability to validate the personal information.” Applicants assert that the above-quoted feature of claim 55 is not taught or suggested by the combination of *Lumeria* and *Burson*. *Lumeria* does not teach the capability to validate information. In fact, it appears that *Lumeria* teaches that the consumer enters his own personal information without concern for validation. See *Lumeria* at 5, item 2). Thus, *Lumeria* does not mention or teach validating. *Burson* also does not teach or suggest validating information. For example, *Burson* does not teach or suggest that the company websites (items 250 of Figure 5) are capable of validating the information. Accordingly, the combination of *Lumeria* and *Burson* does not teach or suggest each and every feature of claim 55. Applicant respectfully requests withdrawal of the rejection of claim 55.

IV. Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes that no fee is due with this response. However, if any additional fees are due, please charge Deposit Account No. 08-2025, under Order No. 10992073-3, from which the undersigned is authorized to draw.

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Respectfully submitted,

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